

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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|---------------------------|---|------------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 05-00681 JF |
| |) | |
| Plaintiff, |) | ORDER CONTINUING CASE AND |
| |) | EXCLUDING TIME UNDER THE |
| v. |) | SPEEDY TRIAL ACT, 18 U.S.C. § 3161 |
| |) | |
| FELIX LEYVA-ANAYA, |) | |
| a/k/a Felix Leyva, |) | |
| |) | |
| Defendant. |) | |

This matter came before the Court for a status hearing on Wednesday, November 15, 2006. Counsel for the government and the defendant were present. Based on the hearing, and at the request of the parties, the Court finds pursuant to Title 18, United States Code, Sections 3161(h)(1)(F) and 3161(h)(8)(A), considering the factors set forth in Section 3161(h)(8)(B), that the interests of justice in granting this continuance outweigh the defendant's and the public's interests in a speedy trial inasmuch as the parties need additional time to respond to and obtain disposition of a pending motion and for investigation and effective preparation.

IT IS HEREBY ORDERED that this case is continued to Wednesday, December 20, 2006 at 9:00 a.m. for setting or disposition.

IT IS FURTHER ORDERED that the period of time from November 15, 2006 through and including December 20, 2006 shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

DATED: 11/22/06


JEREMY FOGEL
United States District Judge

Copies to be served on:

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